

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Patrick Alston,

Plaintiff,

Case No. 2:06-cv-491

v.

JUDGE GRAHAM

Sofa Express, Inc. et al.,

Defendants.

**Order**

This case is before the Court to consider a Report and Recommendation issued by Magistrate Judge Abel on October 6, 2006. The Magistrate Judge recommended that Plaintiff's July 14, 2006 motion to remand this case to the Franklin County Court of Common Pleas be denied because the Defendants made a good-faith effort to provide notice of the removal to Plaintiff, and notice, once provided to Plaintiff's attorney's correct address was prompt.

No objections have been filed to the Report and Recommendation. The Court has reviewed the Report and Recommendation and hereby ADOPTS the Report and Recommendation.

It is so ORDERED.

s/ James L. Graham  
JAMES L. GRAHAM  
United States District Judge

DATE: November 15, 2006